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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT  
(Tehama)

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THE PEOPLE,  
  
Plaintiff and Respondent,  
  
v.  
  
CYNTHIA KAY HANSON,  
  
Defendant and Appellant.

C062959  
  
(Super. Ct. No.  
NCR76579)

Defendant Cynthia Kay Hanson was accused of violating Penal Code section 496, subdivision (a) (receiving stolen property—count I) and Health and Safety Code section 11360, subdivision (a) (transportation of marijuana—count II). As to each count, a prior strike conviction for first degree burglary was alleged. (§§ 459, 667, subds. (b)-(i).)<sup>1</sup>

Defendant pled no contest to count I and admitted the prior strike, with the understanding that the remainder of the information would be dismissed, the prosecution would not file

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<sup>1</sup> All further statutory references are to the Penal Code.

burglary charges as to the present incident, and she would receive a 32-month state prison sentence.

According to the probation report, the victim in count I reported a burglary of his home on April 22, 2009, with a laptop computer, a video camera, and two snowboards stolen. A description of a vehicle that had been observed leaving the victim's residence at a high speed was furnished to law enforcement. That evening, a law enforcement officer stopped the vehicle, driven by defendant, and found the victim's computer and video camera inside. Subsequently, the victim informed law enforcement of additional items stolen. Defendant's son contacted the victim and provided an address where he could recover some of the stolen items; going to that address, law enforcement recovered a bag of the victim's property.

In 1994 defendant was sentenced to four years in state prison for first degree burglary.

The trial court denied defendant's request to strike the prior strike conviction, noting that defendant had two parole violations and that the present case was a second strike. The court then sentenced defendant to the agreed upon, 32-month state prison sentence, with custody credit for 117 actual presentence days and 58 conduct days, or an aggregate of 175 presentence credit days.<sup>2</sup> The court also ordered defendant

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<sup>2</sup> The recent amendments to section 4019 do not operate to modify defendant's entitlement to credit, as she had a prior conviction

to pay a \$400 restitution fine; a \$400 fine pursuant to section 1202.45, suspended pending successful completion of parole; and a \$20 court security fee.

Defendant timely filed a notice of appeal.

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days have elapsed, and we have received no communication from defendant.

Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

#### **DISPOSITION**

The judgment is affirmed.

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RAYE, J.

We concur:

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BLEASE, Acting P. J.

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NICHOLSON, J.

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for a serious felony. (§ 4019, subds. (b) & (c); Stats. 2009, 3d Ex. Sess., ch. 28, § 50.)